

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

SCOTT BLAIR,

*Plaintiff,*

v.

ALSTOM TRANSPORTATION, INC. AND  
KAWASAKI RAIL CAR, INC.,

*Defendants.*

CA No. 1:16-cv-03391-PAE-JLC

**DECLARATION OF ARMIN GHIAM IN SUPPORT OF DEFENDANTS  
ALSTOM TRANSPORTATION, INC. AND KAWASAKI RAIL CAR, INC.'S  
JOINT RESPONSIVE CLAIM CONSTRUCTION BRIEF**

I, Armin Ghiam, declare as follows:

1. I am an attorney at the law firm of Andrews Kurth Kenyon LLP, which is counsel of record for defendant Kawasaki Rail Car, Inc. ("KRC") in the above-captioned case. I am admitted to practice before the United States Patent and Trademark Office, and am a member of the bar in good standing in the state of New York. I provide this Declaration in conjunction with defendants' Joint Responsive Claim Construction Brief. I have personal knowledge of the facts contained in this declaration, and if called to testify, I could and would do so competently thereto.

2. Attached as Exhibit A is a true and correct copy of the petition for *inter partes* review of the U.S. Patent No. 6,700,602 (IPR2017-00117), which challenges the validity of claims 1-4 and 6 of the patent.

3. Attached as Exhibit B is a true and correct copy of the Decision to Institute the *inter partes* review of the U.S. Patent No. 6,700,602 in IPR2017-00117.

4. Attached as Exhibit C is a true and correct copy of the petition for *inter partes* review of the U.S. Patent No. 6,700,602 (IPR2017-01036), which challenges the validity of claims 5, 7-9 and 11-29 of the patent.

5. Attached as Exhibit D is a true and correct copy of the Prosecution File History of the U.S. Patent No. 6,700,602. The page numbers displayed on the bottom of each page have been added for ease of reference.

6. Attached as Exhibit E is a true and correct copy of the Reexamination File History of the U.S. Patent No. 6,700,602. The page numbers displayed on the bottom of each page have been added for ease of reference.

7. Attached as Exhibit F is a true and correct copy of the screenshot of the Merriam-Webster Dictionary's website including the definition for the term "flush." I made the screenshot on May 17, 2017 from the following web address: <https://www.merriam-webster.com/dictionary/flush>.

8. Attached as Exhibit G is a true and correct copy of the screenshot of the Merriam-Webster Dictionary's website including the definition for the term "ceiling." I made the screenshot on May 17, 2017 from the following web address: <https://www.merriam-webster.com/dictionary/ceiling>.

9. Attached as Exhibit H is a true and correct copy of the screenshot of the Merriam-Webster Dictionary's website including the definition for the term "transitional." I made the screenshot on May 17, 2017 from the following web address: <https://www.merriam-webster.com/dictionary/transitional>.

10. Attached as Exhibit I is a true and correct copy of the screenshot of the Merriam-Webster Dictionary's website including the definition for the term "sidewall." I made the

screenshot on May 17, 2017 from the following web address: <https://www.merriam-webster.com/dictionary/sidewall>.

11. Attached as Exhibit J is a true and correct copy of the screenshot of the Merriam-Webster Dictionary's website including the definition for the term "adjoining." I made the screenshot on May 17, 2017 from the following web address: <https://www.merriam-webster.com/dictionary/adjoining>.

12. Attached as Exhibit K is a true and correct copy of the screenshot of the Merriam-Webster Dictionary's website including the definition for the term "junction." I made the screenshot on May 17, 2017 from the following web address: <https://www.merriam-webster.com/dictionary/junction>.

I declare under penalty of perjury that the foregoing is true and correct.

Dated: May 17, 2017

/s/ Armin Ghiam  
Armin Ghiam  
aghiam@andrewskurthkenyon.com  
ANDREWS KURTH KENYON LLP  
One Broadway  
New York, NY 10004